

2011 DRAFTING REQUEST

Senate Amendment (SA-AB102)

Received	d: 10/31/2011				Received By: phurley Companion to LRB: By/Representing: Julie Drafter: phurley						
Wanted:	As time permi	its									
For: Jon	Erpenbach (608) 266-6670									
May Co			•								
Subject:	ubject: Criminal Law - sentencing Criminal Law - crimes agnst			i	Addl. Drafters:						
					Extra Copies:						
Submit v	via email: YES										
Request	er's email:	Sen.Erpenl	bach@legis	.wisconsin.go	v						
Carbon o	copy (CC:) to:										
Pre Top	ic:										
No spec	ific pre topic gi	ven									
Topic:											
Abuse b	y child care pro	ovider									
Instruc	tions:										
take out	licensing info	and replace with	n any paid cl	hild care provi	ider						
Draftin	g History:		Mary A. C.								
Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	Proofed	Submitted	<u>Jacketed</u>	Required				
/1	phurley 10/31/2011	mduchek 10/31/2011	jfrantze 10/31/201		mbarman 10/31/2011	mbarman 10/31/2011					
FE Sent	For:										
				< END>							

2011 DRAFTING REQUEST

Assembly Amendment (AA-AB102)

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Received: 10/31/2011 Received By: phurley

Wanted: As time permits Companion to LRB:

For: Jon Erpenbach (608) 266-6670 By/Representing: Julie

May Contact: Drafter: phurley
Subject: Criminal Law - sentencing

Criminal Law - crimes agnst kids Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Erpenbach@legis.wisconsin.gov

Carbon copy (CC:) to:

Topic:

Pre Topic:

No specific pre topic given

Abuse by child care provider

take out licensing info and replace with any paid child care provider

Drafting History:

Instructions:

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/1 phurley $\sqrt{10/3}$

FE Sent For: <END>



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State of Misconsin 2011 - 2012 LEGISLATURE



2011 ASSEMBLY BILL 102

April 26, 2011 – Introduced by Representatives LeMahieu, Endsley, Kestell, Kerkman, Nygren, Steineke, Jacque, Kleefisch, Mursau, Ripp, Bies, Honadel, Brooks, A. Ott and Spanbauer, cosponsored by Senators Leibham and Olsen. Referred to Committee on Criminal Justice and Corrections.

AN ACT to amend 973.01 (2) (c) 2. a.; and to create 939.635 of the statutes;
relating to: crimes against children committed by certain persons and
providing a penalty.

Analysis by the Legislative Reference Bureau

Current law provides a number of penalty enhancement provisions that allow a judge to increase a penalty for a crime that is committed under certain circumstances. This bill allows a judge to increase the maximum period of imprisonment by up to five years if a person who is licensed or certified to provide day care commits a sexual assault against, or intentionally or recklessly causes bodily harm to, a child for whom the person provides day care.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- **Section 1.** 939.635 of the statutes is created to read:
- 939.635 Increased penalty for certain crimes against children committed by a day care provider. If a person who is licensed under s. 48.65,

ASSEMBLY BILL 102

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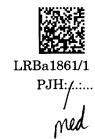
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certified under s. 48.651, or providing care pursuant to a contract under s. 120.13 (14
commits a violation of s. 948.02, 948.025, or 948.03 (2) or (3) against a child for whom
the person was providing day care, the maximum term of imprisonment for that
crime may be increased by not more than 5 years.
SECTION 2. 973.01 (2) (c) 2. a. of the statutes is amended to read:
973.01 (2) (c) 2. a. Sections 939.621, 939.632, <u>939.635</u> , 939.645, 946.42 (4)
961.46, and 961.49.

(END)



State of Wisconsin **2011 - 2012 LEGISLATURE**



(ASSEMBLY)AMENDMENT,

TO 2011 ASSEMBLY BILL 102

Please fix house of origin to senate

- At the locations indicated, amend the bill as follows: 1
- 1. Page 1, line 6: delete "who is licensed under s. 48.65,". 2

2. Page 2, line 1: delete that line.

Page 2, line 3:

4 compensation" 5

3

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(END)

Page 2, line 3° after "care" insert "for compensation".